

AMENDED IN ASSEMBLY JANUARY 5, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 70

Introduced by Assembly Member Monning

December 16, 2010

An act to add Chapter 5 (commencing with Section 127640) to Part 2 of Division 107 4.5 (commencing with Section 104250) to Part 1 of Division 103 of the Health and Safety Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

AB 70, as amended, Monning. ~~California Health and Human Services Agency: public health: federal grant~~ *State Department of Public Health: federal funding opportunities.*

Existing law requires the State Department of Public Health to perform various duties relating to public health, including, but not limited to, administering programs related to the prevention of chronic diseases.

This bill would require the State Department of Public Health to examine its internal processes and develop a plan to increase the department's flexibility to apply for, and be more responsive to, federal funding opportunities using all appropriate methods, including, but not limited to, direct applications and applications in partnership with other public and nonprofit public health entities to develop a stronger evidence base of effective prevention programming and engage in prevention and health education activities.

~~Existing federal law, the Patient Protection and Affordable Care Act (PPACA) (Public Law 111-148), requires the federal Secretary of Health and Human Services to award competitive community transformation grants to state and local governmental agencies and community-based~~

organizations for the implementation, evaluation, and dissemination of evidence-based community preventive health activities in order to reduce chronic disease rates, prevent the development of secondary conditions, address health disparities, and develop a stronger evidence base of effective prevention programming.

Existing federal law, the Healthy, Hunger-Free Kids Act of 2010 (HHFKA), provides for the issuance of federal grants to states and local educational agencies for various programs that support the provision of school lunches, breakfasts, and summer food service and improve the quality and availability of healthful food in underserved communities.

This bill would require the California Health and Human Services Agency to direct the appropriate departments within the agency to apply for federal community transformation grants under the PPACA and HHFKA, as specified. The bill would require the agency to direct the appropriate departments within the agency to make information regarding federal grant opportunities under the PPACA and, if applicable, the HHFKA available to local government agencies, local public health departments, school districts, state and local nonprofit organizations, and Indian tribes through existing channels, and by placing a link on each relevant department's existing Internet Web site.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares as follows:
- 2 (a) Given the significant fiscal challenges ahead for California,
- 3 it is important for the Legislature to ensure that state agencies
- 4 maximize their opportunity to obtain additional federal funds,
- 5 particularly in cases where doing so could offset state General
- 6 Fund costs or assist the state with the transformation of California's
- 7 health care system and the health and well-being of California's
- 8 children, under the federal *appropriate federal laws including, but*
- 9 *not limited to, the Patient Protection and Affordable Care Act*
- 10 ~~(PPACA)~~ (ACA) (Public Law 111-148)—~~and, the Healthy,~~
- 11 ~~Hunger-Free Kids Act of 2010 (HHFKA) (Public Law 111-296),~~
- 12 *and the federal farm bill.*
- 13 (b) The ~~PPACA~~ ACA is a historic opportunity for California to
- 14 prioritize preventive health programs that have been demonstrated

1 to save valuable health care dollars, produce positive patient
2 outcomes in a cost-effective manner, and move the current health
3 care system away from managing disease and toward prevention
4 and health promotion in order to improve the health of Californians.

5 (c) The HHFKA is a historic opportunity to improve the health
6 and well-being of California's children, prevent hunger, and reduce
7 the costly burden of diseases such as obesity and ~~Type~~ *type* II
8 diabetes. It provides valuable new federal resources for federal
9 child nutrition programs; requires the United States Department
10 of Agriculture to make significant improvements in the nutritional
11 standards of school meals; and provides federal grant funding to
12 support nutrition education and obesity prevention for low-income
13 children and families.

14 (d) *The federal farm bill is a major agricultural and nutrition*
15 *bill that has a serious impact on priorities and programs that*
16 *influence public health. The farm bill addresses, among other*
17 *things, nutrition programs, and has designated federal funding*
18 *for nutrition education to support obesity prevention programming.*

19 ~~(d)~~

20 (e) It is the intent of the Legislature in enacting this act to take
21 full advantage of ~~the federal funding opportunities through the~~
22 ~~PPACA and HHFKA~~ *such as grants available under the ACA, the*
23 *HHFKA, and the federal farm bill to improve state health care and*
24 *nutrition programs and invest in* ~~health~~ *prevention and health*
25 *education, with the goal of building, promoting, and sustaining*
26 *healthy communities through a community prevention focus that*
27 *includes efforts toward the reduction of chronic disease rates, the*
28 *elimination of conditions that lead to health disparities, and an*
29 *increase in the cultural and linguistic appropriateness of health*
30 *and nutrition services.*

31 ~~(e) It is the intent of the Legislature to encourage the California~~
32 ~~Health and Human Services Agency and departments within the~~
33 ~~agency to maintain flexibility in internal processes in order to be~~
34 ~~responsive to PPACA and, as appropriate, HHFKA grant~~
35 ~~opportunity timelines.~~

36 (f) *The State Department of Public Health, has, over several*
37 *decades, worked successfully to secure federal resources through*
38 *direct applications and applications in partnership with*
39 *California-based nonprofit health organizations. It is the intent of*
40 *the Legislature to encourage the State Department of Public Health*

1 *to continue to take advantage of all means at its disposal to*
2 *maximize and secure federal resources for the state and to develop*
3 *a plan to increase the department's flexibility to apply for, and be*
4 *more responsive to, federal funding opportunities using all*
5 *appropriate methods, including, but not limited to, direct*
6 *applications and applications in partnership with other*
7 *California-based public and nonprofit public health entities.*

8 SEC. 2. Chapter ~~5~~ 4.5 (commencing with Section ~~127640~~)
9 ~~104250~~) is added to Part ~~2~~ 1 of Division ~~107~~ 103 of the Health and
10 Safety Code, to read:

11
12 CHAPTER ~~5~~ 4.5. COMMUNITY TRANSFORMATION GRANTS
13 FEDERAL FUNDING FOR DISEASE PREVENTION AND HEALTH
14 EDUCATION
15

16 ~~127640.~~ (a) ~~The California Health and Human Services Agency~~
17 ~~shall direct the appropriate departments within the agency to apply~~
18 ~~for federal grants under Sections 4002 and 4201 of the federal~~

19 *104250. The State Department of Public Health shall examine*
20 *its internal processes and develop a plan to increase the*
21 *department's flexibility to apply for, and be more responsive to,*
22 *federal funding opportunities using all appropriate methods at its*
23 *disposal, including, but not limited to, direct applications and*
24 *applications in partnership with other public and nonprofit health*
25 *entities for federal grants, such as those available under the Patient*
26 *Protection and Affordable Care Act (Public Law 111-148) and,*
27 *the Healthy, Hunger-Free Kids Act of 2010 (Public Law 111-296),*
28 *and the federal farm bill, to allow the state to develop a stronger*
29 *evidence base of effective prevention programming and engage*
30 *in prevention and health education activities that achieve, at a*
31 *minimum, all of the following:*

32 ~~(1)~~

33 (a) The creation of healthier school *and* community
34 environments, including, but not limited to, healthful food options,
35 free drinking water, and physical activity.

36 ~~(2)~~

37 (b) The creation of an infrastructure to support active living and
38 access to nutritious foods.

39 ~~(3)~~

1 (c) The development and promotion of programs targeting a
2 variety of age levels to increase healthy eating, physical activity,
3 food security, smoking cessation, mental health, and safety, as
4 well as address special population needs.

5 (4)

6 (d) The promotion and improvement of access to healthful food
7 options in schools, *child care facilities*, communities, worksites,
8 and other settings.

9 (5)

10 (e) The assessment and implementation of worksite wellness
11 programs.

12 (6)

13 (f) The prioritization of strategies to address inequities that lead
14 to racial and ethnic health disparities.

15 ~~(b) The agency shall direct the appropriate departments within~~
16 ~~the agency to make information regarding federal grant~~
17 ~~opportunities under Sections 4002 and 4201 of the federal Patient~~
18 ~~Protection and Affordable Care Act (Public Law 111-148) and the~~
19 ~~Healthy, Hunger-Free Kids Act of 2010 (Public Law 111-296)~~
20 ~~available to local government agencies, local public health~~
21 ~~departments, school districts, state and local nonprofit~~
22 ~~organizations, and Indian tribes through existing channels, and by~~
23 ~~placing a link on each relevant department's existing Internet Web~~
24 ~~site.~~

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